



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,455	03/12/2004	Sean E. Purcell	MS308121.1/MSFTP644US	7697
27195	7590	11/28/2008		
AMIN, TUROCY & CALVIN, LLP			EXAMINER	
127 Public Square			MAI, KEVIN S	
57th Floor, Key Tower				
CLEVELAND, OH 44114			ART UNIT	PAPER NUMBER
			2456	
			NOTIFICATION DATE	DELIVERY MODE
			11/28/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket1@thepatentattorneys.com
hholmes@thepatentattorneys.com
lpasterchek@thepatentattorneys.com

Office Action Summary	Application No. 10/799,455	Applicant(s) PURCELL ET AL.	
	Examiner KEVIN S. MAI	Art Unit 2456	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/7/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action has been issued in response to Applicant's Request for Continued Examination filed August 25, 2008.
2. Claims 41-44 have been added. Claims 1-3, 5-20 and 22-40 have been amended. Claims 1-44 have been examined and are pending.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 25, 2008 has been entered.

Response to Arguments

4. Applicant's arguments filed August 25, 2008 have been fully considered but they are not persuasive.
5. Applicant's arguments with respect to independent claims 1, 22, 34 and 40 have been considered but they are moot in view of the new ground(s) of rejection.
6. Applicant's arguments with respect to dependent claims 5 and 27 have been considered but they are not persuasive. Applicant argues that Daniell fails to disclose the features in claims 5 and 27 because Daniell discloses moving a message to the inbox to allow a user to read the message, which requires additional steps. Further the operation only affects one message per

Art Unit: 2456

user input, rather than affecting at least one message. Examiner disagrees, the cited portion of Daniell discloses messages may be unmarked as spam, doing so would cause them to move to the inbox, where the preview pane is fully enabled. This is seen to be user input that unblocks the blocked portion of the message content in the preview pane. While there may or may not be more steps required afterwards, the message will now show up unblocked in the preview pane. Thus a user input will cause the blocked portion of the message to be unblocked in the preview pane. As to the operation only affecting one message, while the applicant states affecting at least one, it is seen that affecting one message is affecting at least one message. Namely the case where at least one is only one.

7. Applicant's arguments with respect to dependent claim 6 have been considered but they are not persuasive. Applicant argues Daniell fails to disclose the features of claim 6 because moving the message to the inbox requires additional steps. Examiner recites the reasoning used above for claim 5. As to the claim reciting that this operation happens per message it is seen that unmarking a message as spam is only selecting one message and as such the operation happens per message.

8. Applicant's arguments with respect to the associated dependent claims have been considered but they are moot in view of the new ground(s) of rejection.

Specification

9. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the

Art Unit: 2456

following is required: Claim 21 recites computer readable medium which is not further defined in the specification.

Claim Rejections - 35 USC § 101

10. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

11. Claims 1-20 and 41 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1-20 and 41 appear to be pointing toward a system that is entirely implemented in software as indicated by claim 21 reciting 'a computer readable medium having stored thereon the system of claim 1'.

12. Claims 22-33 and 42 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 22-33 and 42 are directed toward a method that does not appear to be tied directly to another statutory class. In order for a method to be statutory it must be tied to another statutory class (such as a particular apparatus) or transform underlying subject matter (such as an article or materials) to a different state or thing. It is not readily apparent that claims 22-33 and 42 meet either of these requirements.

13. Claims 34-39 and 43 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 34-39 and 43 appear to be pointing toward a system that is entirely implemented in software and as such are directed to non-statutory subject matter.

Art Unit: 2456

14. In view of the amendment to claim 40 clarifying 'comprising memory' and 'a processor executes the computer executable component', the pending claim rejection under 35 USC § 101 has been withdrawn.

Claim Rejections - 35 USC § 112

15. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

16. Claims 1-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 22, 34 and 40 point toward partially blocking content from appearing in at least a preview pane, wherein partially was taken to mean 'a portion less than the whole', given the discussion during the interview on August 22, 2008. The word partially was used to overcome Daniell which disclosed blocking the whole email in the preview pane. However, claims 41-44 then discuss entirely blocking the message content from appearing. This appears to contradict the independent claims from which they depend, since a whole is distinctly not 'a portion less than the whole'. As such the meaning of the word partially is no longer clear. For the remainder of the action it shall still be interpreted as 'a portion less than the whole', but the issue still remains and will need to be addressed.

Claim Rejections - 35 USC § 103

17. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

18. Claims 1-10, 18-28, 34 and 38-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pub. No. 2005/0165895 to Rajan et al. (hereinafter "Rajan") and further in view of U.S. Pub. No. 2005/0097174 to Daniell et al. (hereinafter "Daniell") and further in view of US Pub. No. 2005/0228899 to Wendkos et al. (hereinafter "Wendkos").

19. **As to Claim 1**, Rajan discloses **a system that mitigates viewing offensive message content comprising:**

a message receiving component that receives at least one message for delivery to a user

(Paragraph [0015] of Rajan discloses that each piece of incoming mail is graded along a scale.

Where taking in incoming mail is seen to inherently suggest the existence of a message receiving component);

a filtering component that calculates a junk score for the at least one message (Paragraph

[0015] of Rajan discloses that each piece of incoming mail is graded along a scale to determine the level of spaminess of the e-mail. Then in paragraph [0016] of Rajan an example of the scale shows that incoming mail can be graded along a 0 - 100 range and this is seen to be a junk score for the messages); **and**

a content blocking component that [partially] blocks [content of the] at least one message from appearing [in at least a preview pane] when the junk score exceeds a first threshold

Art Unit: 2456

(Paragraph [0015] of Rajan discloses each piece of mail is graded and then moved into the respective directory according to its level of spaminess. Thus the message no longer appears with the regular mail according to its level of spaminess).

Rajan does not explicitly disclose blocking content from appearing in at least a preview pane.

However, Daniell discloses this (Paragraph [0043] of Daniell discloses that, for the spam folder, the feature of displaying a preview of a selected message has been disabled. This is because the message has been determined to be objectionable or undesired).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine calculating a junk score for incoming messages as disclosed by Rajan, with blocking a message from appearing in the preview pane as disclosed by Daniell. One of ordinary skill in the art at the time the invention was made would have been motivated to combine in order to prevent unintentional viewing of content determined to be objectionable or undesired. Since the purpose of a spam filtering is to prevent the user from viewing content they do not wish to view, it would be obvious to prevent the user from seeing the content via the preview pane because the content has been determined to be objectionable or undesired (Paragraph [0043] of Daniell).

Rajan-Daniell does not explicitly disclose partially blocking content.

However, Wendkos discloses this (Paragraph [0008] of Wendkos discloses stripping out all images and links from incoming email in an attempt to thwarts computer users from being exposed to offensive images and dangerous links. As seen Wendkos only partially blocks the content of the emails, namely the images and links)

Art Unit: 2456

It would have been obvious to one of ordinary skill in the art at the time of invention to combine disabling a preview pane as disclosed by Rajan-Daniell, with striping out images and links as disclosed by Wendkos. One of ordinary skill in the art would have been motivated to combine to thwart users from being exposed to offensive images and dangerous links (Paragraph [0008] of Wendkos).

20. **As to Claim 2**, Rajan-Daniell-Wendkos discloses **the system of claim 1, further comprising a classification component that classifies the at least one message as any one of a good state, a junk state, and a middle state** (Paragraph [0016] of Rajan discloses an example of a spam scale from 0 - 100 where messages that scored above 80 would be labeled "black", messages scoring between 30 - 80 would be labeled "gray" and then messages below 30 would be left in the inbox. This is seen to be the same as having a good, junk, and middle state) **if the at least one message is determined to be safe for an inbox but not safe for viewing or previewing, based in part on the junk score** (Paragraph [0032] of Rajan discloses that some email may be placed in more than one directory such as the inbox (white) directory and the gray directory. Then in paragraph [0043] of Daniell it is disclosed that the feature of displaying a preview of a selected message can be disabled for spam messages. Thus it is seen that those that are rated gray/white would be in the inbox but since it is spam would still have the preview disabled).

Examiner recites the same rationale to combine used in Claim 1.

Art Unit: 2456

21. **As to Claim 3**, Rajan-Daniell-Wendkos discloses **wherein the system of claim 2, the message is classified at least in the middle state when the junk score exceeds at least the first threshold** (Paragraph [0016] of Rajan discloses an example of a spam scale from 0 - 100 where messages that scored above 80 would be labeled "black", messages scoring between 30 - 80 would be labeled "gray" and then messages below 30 would be left in the inbox. Thus it is seen that exceeding the first threshold of 30 in this situation would be classifying a message in the middle state).

22. **As to Claim 4**, Rajan-Daniell-Wendkos discloses **the system of claim 1, further comprising an analysis component that determines whether the junk score exceeds the first threshold** (Paragraph [0016] of Rajan discloses an example of a spam scale from 0 - 100 where messages that scored above 80 would be labeled "black", messages scoring between 30 - 80 would be labeled "gray" and then messages below 30 would be left in the inbox. This classification step is seen to imply that determination of a message exceeding a threshold is done by the system).

23. **As to Claim 5**, Rajan-Daniell-Wendkos discloses **the system of claim 1, further comprising an unblocking component that receives user input to unblock the blocked portion of message content of the at least one message in at least the preview pane** (Paragraph [0044] of Daniell discloses that messages in the spam folder may be unmarked as spam and the message that has been stored in the spam folder would be moved to the inbox

Art Unit: 2456

folder of the user. Since the preview pane is fully enabled in the inbox it is seen that the blocked portion of the message would now be unblocked and viewable in the preview pane).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of claim 1 as disclosed by Rajan-Daniell-Wendkos, with having the ability to unblock as disclosed by Daniell.

One of ordinary skill in the art at the time the invention was made would have been motivated to combine in order to complete the functionality of the spam filter. Spam filters always risk the chance of blocking content that the user actually wishes to view. Thus it would be convenient to be able to unblock the blocked content so that the user could use an unmark as spam button to move a message to the inbox (paragraph [0044] of Daniell)

24. **As to Claim 6**, Rajan-Daniell-Wendkos discloses **wherein the system of claim 5, the unblocking component operates per message** (Paragraph [0044] of Daniell discloses that messages in the spam folder may be unmarked as spam and the message that has been stored in the spam folder would be moved to the inbox folder of the use. This only being applied to the selected message and as such is operating per message).

Examiner recites the same rationale to combine used in Claim 5.

25. **As to Claim 7**, Rajan-Daniell-Wendkos discloses **wherein the system of claim 1, the content blocking component operates per message or globally for substantially all messages** (Paragraph [0032] of Rajan discloses that some email may be placed in more than one directory such as the inbox (white) directory and the gray directory. Then in paragraph [0043] of Daniell

Art Unit: 2456

it is disclosed that the feature of displaying a preview of a selected message can be disabled for spam messages. Thus it is seen that those that are rated gray/white would be in the inbox but since it is spam would still have the preview disabled. This scenario represents blocking operating per message. However in paragraph [0043] of Daniell the preview window being disabled applies to the whole spam folder, this implies the ability to disable the preview window for specific folders. If all folders were then disabled it would be the same as the blocking component operating globally).

Examiner recites the same rationale to combine used in Claim 1.

26. **As to Claim 8**, Rajan-Daniell-Wendkos discloses **wherein the system of claim 1, the content comprises text, links, sounds, video, attachments, embedded content, applets, speech, and images** (These are seen to be obvious things to expect in an e-mail. Thus since the claimed invention deals with the content in e-mail it would be obvious to expect content to comprise the items above).

"Common sense teaches, however, that familiar items may have obvious uses beyond their primary purposes, and in many cases a person of ordinary skill will be able to fit the teachings of multiple patents together like pieces of a puzzle...When there is a design need or market pressure to solve a problem and there are a finite number of identified, predictable solutions, a person of ordinary skill has good reason to pursue the known options within his or her technical grasp. If this leads to the anticipated success, it is likely the product not of innovation but of ordinary skill and common sense." See *KSR v. Teleflex*, 550 U.S. ___, 127 S. Ct. 1727 (2007).

27. **As to Claim 9**, Rajan-Daniell-Wendkos discloses **wherein the system of claim 1, the first threshold determined in part by user preferences** (Paragraph [0031] of Rajan discloses additional user-settable configurations may include the ability to name and color-code the spam directories, as well as the ability to assign their respective ranges. These ranges are seen to be the same as the thresholds).

28. **As to Claim 10**, Rajan-Daniell-Wendkos discloses **the system of claim 1, wherein the content blocking component partially blocks the message content of the at least one message from appearing in at least the preview pane by performing at least one of the following:**

hiding the content of the at least one message in at least the preview pane (Paragraph [0043] of Daniell discloses that, for the spam folder, the feature of displaying a preview of a selected message has been disabled. This is because the message has been determined to be objectionable or undesired. Then paragraph [0008] of Wendkos discloses stripping out all images and links from incoming email. Thus it is seen that Wendkos discloses partially blocking using at least one of the listed limitations);

Examiner recites the same rationale to combine used in claim 1.

hiding a portion of a subject line of the at least one message;

hiding a portion of content in a from line of the at least one message;

blurring a portion of the subject line of the at least one message;

blurring a portion of content in the from line of the at least one message; or

Art Unit: 2456

blurring a portion of the content of the at least one message in at least the preview pane.

29. **As to Claim 18**, Rajan-Daniell-Wendkos discloses **the system of claim 1, further comprising a rating component that rates messages as unscanned before they are subjected to the filtering component** (Paragraph [0030] of Rajan discloses as incoming e-mail is received by the mail server it is graded for spaminess and then moved to the inbox and/or spam directories. During the time period between reception and being graded it is seen that the letters are inherently classified as unscanned, since they have no rating and are only moved to the inbox after being graded).

30. **As to Claim 19**, Rajan-Daniell-Wendkos discloses **the system of claim 18, wherein an unscanned message is hidden from view and is not visible in the user's inbox while additional data about the unscanned message is collected or while the unscanned message is being filtered by the filtering component** (Paragraph [0030] of Rajan discloses as incoming e-mail is received by the mail server it is graded for spaminess and then moved to the inbox and/or spam directories. During the time period between reception and being graded it is seen that the letters are inherently classified as unscanned, since they have no rating and are only moved to the inbox after being graded. Since they are not placed into the inbox until after filtering, the messages are effectively hidden from view and are not visible).

31. **As to Claim 20**, Rajan-Daniell-Wendkos discloses **the system of claim 18, wherein unscanned messages are made visible in a user's inbox when the filtering component is**

Art Unit: 2456

turned off (Figure 4 of Daniell discloses being able to turn off spam filtering and next to the selection it is explained that all emails will be delivered to the inbox. Thus it is seen that when filtering is off all messages would be visible).

It is seen that being able to turn off the filter is an obvious feature of the system. Furthermore, once the filter is turned off it is disclosed in Daniell that all emails will be delivered to the inbox. Given that nothing will be marked as spam, none of them would be blocked and as such they would all be visible. Thus it is seen that this limitation is disclosed by Rajan and Daniell.

"Common sense teaches, however, that familiar items may have obvious uses beyond their primary purposes, and in many cases a person of ordinary skill will be able to fit the teachings of multiple patents together like pieces of a puzzle...When there is a design need or market pressure to solve a problem and there are a finite number of identified, predictable solutions, a person of ordinary skill has good reason to pursue the known options within his or her technical grasp. If this leads to the anticipated success, it is likely the product not of innovation but of ordinary skill and common sense." See *KSR v. Teleflex*, 550 U.S. ___, 127 S. Ct. 1727 (2007).

32. **As to Claim 21**, Rajan-Daniell-Wendkos discloses **a computer readable medium having stored thereon the system of claim 1** (Claim 11 of Rajan discloses a computer-readable medium comprising program instructions for its invention).

Art Unit: 2456

33. **As to Claim 22**, Rajan discloses **a method that mitigates viewing offensive message content comprising:**

receiving at least one message (Paragraph [0015] of Rajan discloses that each piece of incoming mail is graded along a scale);

computing a junk score for the at least one message (Paragraph [0015] of Rajan discloses that each piece of incoming mail is graded along a scale to determine the level of spaminess of the e-mail. Then in paragraph [0016] of Rajan an example of the scale shows that incoming mail can be graded along a 0 - 100 range and this is seen to be a junk score for the messages);

[previewing the at least one message in at least a preview panel]; and

[partially] blocking message content of the at least one message from appearing [in at least the preview panel] when the junk score exceeds a blocking threshold (Paragraph [0015] of Rajan discloses each piece of mail is graded and then moved into the respective directory according to its level of spaminess. Thus the message no longer appears with the regular mail according to its level of spaminess).

Rajan does not explicitly disclose previewing the message in a preview pane or blocking content from appearing in at least a preview pane.

However, Daniell discloses this (Paragraph [0030] of Daniell discloses displaying a preview pane having a preview of a selected email message. Then paragraph [0043] of Daniell discloses that, for the spam folder, the feature of displaying a preview of a selected message has been disabled. This is because the message has been determined to be objectionable or undesired).

Examiner recites the same rationale to combine used in Claim 1.

Art Unit: 2456

Rajan-Daniell does not explicitly disclose partially blocking content.

However, Wendkos discloses this (Paragraph [0008] of Wendkos discloses stripping out all images and links from incoming email in an attempt to thwart computer users from being exposed to offensive images and dangerous links. As seen Wendkos only partially blocks the content of the emails, namely the images and links)

Examiner recites the same rationale to combine used in Claim 1.

34. **As to Claim 23**, Rajan-Daniell-Wendkos discloses **the method of claim 22, further comprising classifying the at least one message based on, at least in part, a computed junk score** (Paragraph [0016] of Rajan discloses an example of a spam scale from 0 - 100 where messages that scored above 80 would be labeled "black", messages scoring between 30 - 80 would be labeled "gray" and then messages below 30 would be left in the inbox).

35. **As to Claim 24**, Rajan-Daniell-Wendkos discloses **the method of claim 22, further comprising classifying the at least one message as unscanned before computing the junk score** (Paragraph [0030] of Rajan discloses as incoming e-mail is received by the mail server it is graded for spaminess and then moved to the inbox and/or spam directories. During the time period between reception and being graded it is seen that the letters are inherently classified as unscanned, since they have no rating and are only moved to the inbox after being graded).

36. **As to Claim 25**, Rajan-Daniell-Wendkos discloses **the method of claim 24, further comprising updating the at least one message from unscanned to some other rating based**

Art Unit: 2456

on, at least in part, its computed junk score (Paragraph [0030] of Rajan discloses as incoming e-mail is received by the mail server it is graded for spaminess and then moved to the inbox and/or spam directories. During the time period between reception and being graded it is seen that the letters are inherently classified as unscanned, since they have no rating and are only moved to the inbox after being graded. However after being graded it is then moved to the appropriate directories at which point it would be classified under those directories. Thus the score is seen to be updated).

37. **As to Claim 26**, Rajan-Daniell-Wendkos discloses **the method of claim 22, wherein the message content comprises at least one of text, images, sounds, audio, video, applets, embedded text, embedded images, URLs, and speech** (These are seen to be obvious things to expect in an e-mail. Thus since the claimed invention deals with the content in e-mail it would be obvious to expect content to comprise the items above).

"Common sense teaches, however, that familiar items may have obvious uses beyond their primary purposes, and in many cases a person of ordinary skill will be able to fit the teachings of multiple patents together like pieces of a puzzle...When there is a design need or market pressure to solve a problem and there are a finite number of identified, predictable solutions, a person of ordinary skill has good reason to pursue the known options within his or her technical grasp. If this leads to the anticipated success, it is likely the product not of innovation but of ordinary skill and common sense." See *KSR v. Teleflex*, 550 U.S. ___, 127 S. Ct. 1727 (2007).

Art Unit: 2456

38. **As to Claim 27**, Rajan-Daniell-Wendkos discloses **the method of claim 22, further comprising unblocking blocked content of the at least one message when explicit user input to unblock the blocked message content is received** (Paragraph [0043] of Daniell discloses that messages in the spam folder may be viewed by using the message center to select a message from the spam folder and then selecting the read button. This allows the user to read the text associated with the selected message. Since the message that was in the spam folder was previously not viewable in the preview screen (blocked) and then distinct user input (selecting the read button) allows the letter to be read (unblocked), this is seen to be the same as the claimed limitation).

Examiner recites the same rationale to combine used in Claim 5.

39. **As to Claim 28**, Rajan-Daniell-Wendkos discloses **the method of claim 22, wherein partially blocking the message content applies to substantially all messages, based on a user activation** (Paragraph [0043] of Daniell the preview window being disabled applies to the whole spam folder, this implies the ability to disable the preview window for specific folders. If all folders were then disabled it would be the same as the blocking component would be applied to all messages).

Examiner recites the same rationale to combine used in Claim 1.

40. **As to Claim 34**, Rajan discloses **a system that mitigates viewing offensive message content comprising:**

Art Unit: 2456

means for receiving at least one message (Paragraph [0015] of Rajan discloses that each piece of incoming mail is graded along a scale);

means for computing a junk score for the at least one message (Paragraph [0015] of Rajan discloses that each piece of incoming mail is graded along a scale to determine the level of spaminess of the e-mail. Then in paragraph [0016] of Rajan an example of the scale shows that incoming mail can be graded along a 0 - 100 range and this is seen to be a junk score for the messages); **and**

means for [partially] blocking message content of the at least one message from appearing [in at least a preview pane] when the junk score exceeds a blocking threshold (Paragraph [0015] of Rajan discloses each piece of mail is graded and then moved into the respective directory according to its level of spaminess. Thus the message no longer appears with the regular mail according to its level of spaminess),

[wherein partially blocking the message content from appearing in the preview pane comprises at least one of the following:

hiding the content of the at least one message in at least the preview pane;

concealing a portion of a subject line of the at least one message;

concealing a portion of content in a from line of the at least one message;

blurring a portion of the subject line of the at least one message;

blurring a portion of content in the from line of the at least one message; or

blurring a portion of the content of the at least one message in at least the preview pane].

Rajan does not explicitly disclose blocking content from appearing in at least a preview pane.

Art Unit: 2456

However, Daniell discloses this (Paragraph [0043] of Daniell discloses that, for the spam folder, the feature of displaying a preview of a selected message has been disabled. This is because the message has been determined to be objectionable or undesired. This is seen to be the same as the claimed limitation because the portion being blocked is the entire message and since the message is in the spam folder it is apparent that the message has exceeded some threshold of for spam detection)

Examiner recites the same rationale to combine used in Claim 1.

Rajan-Daniell does not explicitly disclose partially blocking content or how the partially blocking is done.

However, Wendkos discloses this (Paragraph [0043] of Daniell discloses that, for the spam folder, the feature of displaying a preview of a selected message has been disabled. This is because the message has been determined to be objectionable or undesired. Then paragraph [0008] of Wendkos discloses stripping out all images and links from incoming email. Thus it is seen that Wendkos discloses partially blocking using at least one of the listed limitations);

Examiner recites the same rationale to combine used in claim 1.

41. **As to Claim 38**, Rajan-Daniell-Wendkos discloses **the system of claim 34, further comprising means for unblocking blocked content of the at least one message when explicit user input to unblock the content of the at least one message is received** (Paragraph [0043] of Daniell discloses that messages in the spam folder may be viewed by using the message center to select a message from the spam folder and then selecting the read button. This allows the user to read the text associated with the selected message. Since the message that was in the spam

Art Unit: 2456

folder was previously not viewable in the preview screen (blocked) and then distinct user input (selecting the read button) allows the letter to be read (unblocked), this is seen to be the same as the claimed limitation).

Examiner recites the same rationale to combine used in Claim 5.

42. As to **Claim 39**, Rajan-Daniell-Wenkos discloses **the system of claim 34, further comprising means for classifying the at least one message as unscanned before computing the junk score** (Paragraph [0030] of Rajan discloses as incoming e-mail is received by the mail server it is graded for spaminess and then moved to the inbox and/or spam directories. During the time period between reception and being graded it is seen that the letters are inherently classified as unscanned, since they have no rating and are only moved to the inbox after being graded).

43. As to **Claim 40**, Rajan discloses **a computer executable system, comprising a memory having stored therein computer executable components that transmit a data packet between two or more computer processes, wherein the data packet is transmitted to mitigate viewing offensive message content, and wherein the data packet comprises** (Paragraph [0031] of Rajan discloses that the system may employ a server/client topology where the information may be processed by either individually or partly by both. Thus since they need to communicate it would be seen that a data packet exists that comprised the following information): **information associated with receiving at least one message** (Paragraph [0015] of Rajan discloses that each piece of incoming mail is graded along a scale); **computing a junk**

Art Unit: 2456

score for the at least one message (Paragraph [0015] of Rajan discloses that each piece of incoming mail is graded along a scale to determine the level of spaminess of the e-mail. Then in paragraph [0016] of Rajan an example of the scale shows that incoming mail can be graded along a 0 - 100 range and this is seen to be a junk score for the messages), **[partially] blocking message content of the at least one message from appearing [in at least a preview pane] when the junk score exceeds a blocking threshold** (Paragraph [0015] of Rajan discloses each piece of mail is graded and then moved into the respective directory according to its level of spaminess. Thus the message no longer appears with the regular mail according to its level of spaminess);

and a processor that executes the computer executable components (Paragraph [0031] of Rajan discloses the computer executable components being executed on processors).

Rajan does not explicitly disclose blocking content from appearing in at least a preview pane.

However, Daniell discloses this (Paragraph [0043] of Daniell discloses that, for the spam folder, the feature of displaying a preview of a selected message has been disabled. This is because the message has been determined to be objectionable or undesired)

Examiner recites the same rationale to combine used in Claim 1.

Rajan-Daniell does not explicitly disclose partially blocking content.

However, Wendkos discloses this (Paragraph [0008] of Wendkos discloses stripping out all images and links from incoming email in an attempt to thwarts computer users from being exposed to offensive images and dangerous links. As seen Wendkos only partially blocks the content of the emails, namely the images and links)

Art Unit: 2456

Examiner recites the same rationale to combine used in Claim 1.

44. **As to Claim 41**, Rajan-Daniell-Wenkos discloses **the system of claim 1, wherein the content blocking component entirely blocks message content of the at least one message from appearing in at least the preview pane when the junk score exceeds the first threshold** (Paragraph [0043] of Daniell discloses that, for the spam folder, the feature of displaying a preview of a selected message has been disabled. This is because the message has been determined to be objectionable or undesired. This is seen to be the same as the claimed limitation because the portion being blocked is the entire message and since the message is in the spam folder it is apparent that the message has exceeded some threshold of for spam detection).

Examiner recites the same rationale to combine used in Claim 1.

45. **As to Claim 42**, Rajan-Daniell-Wenkos discloses **the method of claim 22, further comprising entirely blocking message content of the at least one message in at least the preview pane when the junk score exceed the blocking threshold** (Paragraph [0043] of Daniell discloses that, for the spam folder, the feature of displaying a preview of a selected message has been disabled. This is because the message has been determined to be objectionable or undesired. This is seen to be the same as the claimed limitation because the portion being blocked is the entire message and since the message is in the spam folder it is apparent that the message has exceeded some threshold of for spam detection).

Examiner recites the same rationale to combine used in Claim 1.

Art Unit: 2456

46. **As to Claim 43**, Rajan-Daniell-Wenkos discloses **the system of claim 34, further comprising:**

means for completely concealing content of the at least one message in at least the preview pane when the junk score exceeds the blocking threshold, wherein completely concealing content of the at least one message comprises at least one of the following:

concealing the entire content of the at least one message in at least the preview pane

(Paragraph [0043] of Daniell discloses that, for the spam folder, the feature of displaying a preview of a selected message has been disabled. This is because the message has been determined to be objectionable or undesired. This is seen to be the same as the claimed limitation because the portion being blocked is the entire message and since the message is in the spam folder it is apparent that the message has exceeded some threshold of for spam detection);

Examiner recites the same rationale to combine used in Claim 1.

concealing the entire content of a subject line of the at least one message;

concealing the entire content of a from line of the at least one message;

blurring the entire content of the subject line of the at least one message;

blurring the entire content of the from line of the at least one message; or

blurring the entire content of the at least one message in at least the preview pane.

47. **As to Claim 44**, Rajan-Daniell-Wenkos discloses **the system of claim 40, further comprising:**

means for completely blocking message content of the at least one message from appearing in at least a preview pane when the junk score exceeds a blocking threshold (Paragraph

Art Unit: 2456

[0043] of Daniell discloses that, for the spam folder, the feature of displaying a preview of a selected message has been disabled. This is because the message has been determined to be objectionable or undesired. This is seen to be the same as the claimed limitation because the portion being blocked is the entire message and since the message is in the spam folder it is apparent that the message has exceeded some threshold of for spam detection).

Examiner recites the same rationale to combine used in Claim 1.

48. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rajan-Daniell-Wendkos and further in view of U.S. Pub. No. 2003/0009495 to Adjaoute (hereinafter “Adjaoute”).

49. **As to Claim 11**, Rajan-Daniell-Wendkos discloses **the system of claim 1**. Rajan-Daniell-Wendkos does not explicitly disclose **the content blocking component replaces blocked content of the at least one message with at least one of a text notice, a graphics notice, a video notice, or an audio notice; wherein the text notice, graphics notice, video notice and audio notice warn users that potentially offensive content has been blocked from view**.

However, Adjaoute discloses this (Paragraph [0057] of Adjaoute discloses that if the content is restricted, then a message is displayed instead of the content saying that the access to the content has been restricted. It is noted that Adjaoute deals primarily with websites however in paragraph [0029] it suggest the software plug-in being installed in an email application).

Art Unit: 2456

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of claim 1 as disclosed by Rajan-Daniell, with replacing the blocked content as disclosed by Adjaoute. One of ordinary skill in the art at the time the invention was made would have been motivated to combine in order to help the filter prevent viewing of offensive material. Paragraph [0006] of Adjaoute shares that the goal would be to control the information that children can receive. Thus it is seen that it would be advantageous to block the material and inform the participant that what they are trying to access has been blocked.

50. Claims 12-17, 30-33 and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rajan-Daniell-Wendkos and further in view of U.S. Pub. No. 2003/0204569 to Andrews et al. (hereinafter “Andrews”).

51. **As to Claim 12**, Rajan-Daniell-Wendkos discloses **the system of claim 1**. Rajan-Daniell-Wendkos does not explicitly disclose **further comprising a challenge-response component that requests message senders to correctly respond to at least one challenge per message sent by a respective message sender when the junk score of the message sent by the respective message sender exceeds a second threshold, wherein the message sent by the respective message sender is delivered to the user’s inbox upon validation of the message sender’s response**.

However, Andrews discloses this (Figure 4 of Andrews discloses the process for incoming email messages. As the message flows through the process various things are checked

Art Unit: 2456

such as whether a message is spam-like, has a potential virus, or if the sender is suspicious. If a message appears to be any of those things the message is issued a challenge. Then in paragraph [0087] of Andrews it is explained that if the system judges that the sender has passed the test the message is placed into the user's inbox).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of claim 1 as disclosed by Rajan-Daniell, with the challenge system disclosed by Andrews. One of ordinary skill in the art at the time the invention was made would have been motivated to combine in order to increase the security of the spam filter. Andrews explains in paragraph [0007] that a challenge would help verify that the source of the potentially infected/spam email is a human and not a machine. Since most spam is generated by a machine as opposed to individually sent out by humans such a system would help filter out many messages.

52. **As to Claim 13, Rajan-Daniell-Wendkos-Andrews discloses the system of claim 12, wherein the second threshold is any one of higher or lower than the first threshold**

(Paragraph [0031] of Rajan discloses additional user-settable configurations may include the ability to name and color-code the spam directories, as well as the ability to assign their respective ranges. It is noted that because Rajan discloses a user setting up the configurations for his various spam directories that it would be obvious to either have the second threshold higher or lower depending on the personal preference of the user).

Art Unit: 2456

53. **As to Claim 14**, Rajan-Daniell-Wendkos-Andrews discloses **the system of claim 12, wherein the second threshold is about equal to the first threshold** (Paragraph [0031] of Rajan discloses additional user-settable configurations may include the ability to name and color-code the spam directories, as well as the ability to assign their respective ranges. Since the ranges are determined by the user, making the second threshold about equal to the first would be easily done).

54. **As to Claim 15**, Rajan-Daniell-Wendkos-Andrews discloses **the system of claim 12, wherein the second threshold is determined at least in part by user preferences** (Paragraph [0031] of Rajan discloses additional user-settable configurations may include the ability to name and color-code the spam directories, as well as the ability to assign their respective ranges. These ranges are seen to be the same as the thresholds).

55. **As to Claim 16**, Rajan-Daniell-Wendkos-Andrews discloses **the system of claim 12, wherein the message sent by the respective message sender is hidden from view in a user's inbox until the challenge is correctly solved** (Figure 1 of Andrews discloses a letter being detained in the smart email filtering system until a correct response is received. This is effectively hiding the message from view until it is correctly solved).

Examiner recites the same rationale to combine used in claim 12.

56. **As to Claim 17**, Rajan-Daniell-Wendkos-Andrews discloses **the system of claim 12, wherein content of the message sent by the respective message sender is partially blocked**

Art Unit: 2456

when the message is released to the user's inbox following a correctly solved challenge

(Figure 4 of Andrews discloses the process for incoming email messages. As the message flows through the process various things are checked such as whether a message is spam-like, has a potential virus, or if the sender is suspicious. If a message appears to be any of those things, the message is issued a challenge. Then in paragraph [0087] of Andrews it is explained that if the system judges that the sender has passed the test the message is placed into the user's inbox. It is seen that since the letter was placed into the inbox and that, as disclosed above, letters in the inbox with sufficient ratings are blocked, it would be obvious that after a message comes back from a challenge that it would still be blocked once deposited in the inbox).

Examiner recites the same rationale to combine used in claim 12.

57. **As to Claim 30**, Rajan-Daniell-Wendkos discloses **the method of claim 22**. Rajan-Daniell-Wendkos does not explicitly disclose **further comprising challenging a sender of the at least one message before revealing any blocked content of the at least one message**.

However, Andrews discloses this (Figure 4 of Andrews discloses the process for incoming email messages. As the message flows through the process various things are checked such as whether a message is spam-like, has a potential virus, or if the sender is suspicious. If a message appears to be any of those things, the message is issued a challenge. Then in paragraph [0087] of Andrews it is explained that if the system judges that the sender has passed the test the message is placed into the user's inbox).

Examiner recites the same rationale to combine used in claim 12.

Art Unit: 2456

58. **As to Claim 31**, Rajan-Daniell-Wendkos discloses **the method of claim 22**. Rajan-Daniell-Wendkos does not explicitly disclose **further comprising challenging a sender of the at least one message before allowing delivery of the at least one message when the junk score of the at least one message exceeds a challenge threshold**.

However, Andrews discloses this (Figure 4 of Andrews discloses the process for incoming email messages. As the message flows through the process various things are checked such as whether a message is spam-like, has a potential virus, or if the sender is suspicious. If a message appears to be any of those things, the message is issued a challenge. Then in paragraph [0087] of Andrews it is explained that if the system judges that the sender has passed the test the message is placed into the user's inbox).

Examiner recites the same rationale to combine used in claim 12.

59. **As to Claim 32**, Rajan-Daniell-Wendkos-Andrews discloses **the method of claim 31, wherein the challenge threshold is any one of higher or lower than the blocking threshold** (Paragraph [0031] of Rajan discloses additional user-settable configurations may include the ability to name and color-code the spam directories, as well as the ability to assign their respective ranges. It is noted that because Rajan discloses a user setting up the configurations for his various spam directories that it would be obvious to either have the second threshold higher or lower depending on the personal preference of the user).

60. **As to Claim 33**, Rajan-Daniell-Wendkos-Andrews discloses **the method of claim 31, wherein the challenge threshold is about equal to the blocking threshold** (Paragraph [0031]

Art Unit: 2456

of Rajan discloses additional user-settable configurations may include the ability to name and color-code the spam directories, as well as the ability to assign their respective ranges. Since the ranges are determined by the user, making the second threshold about equal to the first would be easily done).

61. **As to Claim 35**, Rajan-Daniell-Wendkos discloses **the system of claim 34**. Rajan-Daniell-Wendkos does not explicitly disclose **further comprising means for challenging a sender of the at least one message before allowing delivery of the at least one message when the junk score of the at least one message exceeds a challenge threshold**.

However, Andrews discloses this (Figure 4 of Andrews discloses the process for incoming email messages. As the message flows through the process various things are checked such as whether a message is spam-like, has a potential virus, or if the sender is suspicious. If a message appears to be any of those things, the message is issued a challenge. Then in paragraph [0087] of Andrews it is explained that if the system judges that the sender has passed the test the message is placed into the user's inbox).

Examiner recites the same rationale to combine used in claim 12.

62. **As to Claim 36**, Rajan-Daniell-Wendkos-Andrews discloses **the system of claim 35, wherein the challenge threshold is any one of higher or lower than the blocking threshold** (Paragraph [0031] of Rajan discloses additional user-settable configurations may include the ability to name and color-code the spam directories, as well as the ability to assign their respective ranges. It is noted that because Rajan discloses a user setting up the configurations for

Art Unit: 2456

his various spam directories that it would be obvious to either have the second threshold higher or lower depending on the personal preference of the user).

63. **As to Claim 37**, Rajan-Daniell-Wendkos-Andrews discloses **the system of claim 35, wherein the challenge threshold is about equal to the blocking threshold** (Paragraph [0031] of Rajan discloses additional user-settable configurations may include the ability to name and color-code the spam directories, as well as the ability to assign their respective ranges. Since the ranges are determined by the user, making the second threshold about equal to the first would be easily done).

64. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rajan-Daniell-Wendkos and further in view of U.S. Pub. No. 2005/0080889 to Malik et al. (hereinafter "Malik").

65. **As to Claim 29**, Rajan-Daniell-Wendkos discloses **the method of claim 22**. Rajan-Daniell-Wendkos does not explicitly disclose **further comprising requiring a password to open messages associated with blocked content**.

However, Malik discloses this (Paragraph [0071] of Malik discloses child protection in an email system where it can be set such that to get access to a child's spam folder one would have to enter in the master or parent password. This is seen to be the same as needing a password to access messages that are blocked).

Art Unit: 2456

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of claim 22 as disclosed by Rajan and Daniell, with requiring a password as disclosed by Malik.

One of ordinary skill in the art at the time the invention was made would have been motivated to combine in order to prevent children from viewing content that a parent would deem inappropriate for viewing. Thus it is to provide a method that restricts a child type user from performing a restricted operation (paragraph [0007] Malik).

Conclusion

66. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN S. MAI whose telephone number is (571)270-5001. The examiner can normally be reached on Monday through Friday 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2456

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KSM

/Philip C Lee/
Primary Examiner, Art Unit 2452